

# Town of North Andover Access Other than Legal Frontage Planning Department Special Permit

## Procedure and Requirements for Filing an Application for an Access Other than Legal Frontage Special Permit

The following information must be submitted thirty (30) days prior to the first public hearing. Failure to submit the required information within the time periods prescribed may result in a dismissal by the Planning Board of an application as incomplete. The information herein is an abstract of more specific requirements listed in the Zoning Bylaw and is not meant to supersede them.

- **Step 1: Pick up application package:**

The petitioner picks up complete application package and Zoning Bylaw to reference specific requirements of special permit.

- **Step 2: Special Permit Application Form:**

Petitioner completes (3) copies of the application form. All information as required shall be completed.

- **Step 3: Plan Preparation:**

Petitioner submits all of the required information as cited in Sections 7.2.1 and 10.31 in the North Andover Zoning Bylaw.

- **Step 4: Submit Application:**

Petitioner submits (3) typewritten applications time stamped by the Town Clerk, ten (10) copies of the plan 1" = 40' prepared by a Registered Professional Engineer or Land Surveyor, abutters list certified by the assessors office and filing fee's. Application must include submittal of outside consultant review form.

- **Step 5: Submit Filing Fees**

The petitioner submits two separate checks for filing fees in the following amounts.

1. \$100.00-Special Permit Application Fee
2. \$2000.00-Outside Consultant Fee

- **Step 6: Mail Application to Outside Consultant**

The petitioner mails a copy of the plan and application to the outside consultant for review at:

Vanasse, Hangin, Brustlin, Inc.  
Attn: Tim McIntosh  
101 Walnut Street  
Watertown, MA 02471

- **Step 7 Notification of Parties in Interest:**

Petitioner submits a complete abutters list to the Planning Department and the Planning Department sends out the legal notice. **Petitioner also submits two complete sets of stamped, self-addressed envelopes, indicating Planning Board, 27 Charles Street, North Andover, MA 01845 as the return address. Additionally, (22) (twenty two) .37 postage stamps must be submitted for notification of the surrounding communities.**

- **Step 8: Legal Notice:**

The Planning Department prepares the legal notice for mailing to the parties of interest (abutters) and for publication in the newspaper. The petitioner is responsible for delivering the legal notice to the newspaper.

- **Step 9: Public Hearing before the Planning Board:**

The petitioner should appear in his/her behalf, or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of the petitioner, the Planning Board shall decide on the matter by using the information it has otherwise been provided.

- **Step 10: Decision:**

After the hearing(s), a copy of the Planning Board's decision will be sent to the petitioner, engineer and all parties in interest. (Any appeal of the Planning Board's decision may be made pursuant to Massachusetts General Laws Ch. 40A sec. 17 within twenty (20) days after the decision is filed with the Town Clerk.)

- **Step 11: Recording Certificate of Decision Plans**

The petitioner is responsible for recording certification of the decision and any accompanying plans at the Essex North Registry of Deeds, Lawrence Massachusetts, and shall complete the Certification of recording form and forward it to the Planning Department.

### Important Phone Numbers

- ❖ 978-688-9535 Planning Department
- ❖ 978-688-9542 Planning Department's Fax
- ❖ 978-688-9501 Town Clerk's Office

**GENERAL REQUIREMENTS TO BE MET FOR  
OBTAINING A SPECIAL PERMIT**

# **Town of North Andover Access Other than Legal Frontage Planning Department Special Permit**

## **Written Documentation**

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below points individually is required with this application.

1. encouraging the most appropriate use of land;
2. preventing overcrowding of land;
3. conserving the value of land and buildings;
4. lessening congestion of traffic;
5. preventing undue concentration of population;
6. providing adequate light and air;
7. reducing the hazards from fire and other danger;
8. assisting in the economical provision of transportation, water, sewerage, schools, parks, and other public facilities;
9. controlling the use of bodies of water, including watercourses;
10. reducing the probability of losses resulting from floods; and
11. reserving and increasing the amenities of the Town; **AND**

## **10.31**

The Special Permit Granting Authority must have all the following conditions met:

- a. The specific site is an appropriate location for such a use, structure or condition;
- b. The use as developed will not adversely affect the neighborhood;
- c. There will be no nuisance or serious hazard to vehicles or pedestrians;
- d. Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
- e. The Special Permit Granting Authority shall not grant any Special Permit unless they make a specific finding that the use is in harmony with the general purpose and intent of this Bylaw.

## **SPECIFIC REQUIREMENTS TO BE MET FOR OBTAINING AN ACCESS OTHER THAN LEGAL FRONTAGE SPECIAL PERMIT**

### **Written Documentation**

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below points individually is required with this application.

1. The specific site is an appropriate location for access to the lot given the current and projected traffic on the roadway, and the site distance to adjacent driveways and roadways, and/or;
2. Special environmental conditions exist such as wetlands and/or steep slopes such that access across the street frontage would require wetland filing or extreme cutting and/or filling of slopes or would be otherwise detrimental to the environment;
3. The access will not adversely affect the neighborhood;
4. There will be no nuisance or serious hazard to vehicles or pedestrians;
5. The access is in harmony with the general purpose and intent of this Bylaw;

## **PLAN CONTENTS FOR AN ACCESS OTHER THAN LEGAL FRONTAGE SPECIAL PERMIT**

Map on a scale of one (1) inch equals forty (40) feet prepared by a Registered Professional Engineer or Surveyor showing:

1. The special environmental conditions referred to in Section 7.2.1 b of the Town of North Andover Zoning Bylaw are depicted on a topographical plan of 2' contour intervals; and
2. Adequate public safety access.

❖ **A Special Permit once granted by the Planning Board will lapse in two (2) years if not exercised unless the Planning Board grants an extension.**